GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services- Andhra Pradesh Reorganisation Act, 2014-Public Sector Under Takings and certain other Corporations and Institutions listed in the Ninth and Tenth Schedules of A.P. Re-organisation Act, 2014 – Non-applicability of enhanced superannuation age of 60 years to the employees – Orders-Issued.

Finance (HR.IV-FR) Department

G.O.MS.No. 112 Dated: 18-06-2016

Read the following:-

1. The Andhra Pradesh Re-organisation Act, 2014.
2. The Andhra Pradesh Public Employment (Regulation of Age of Superannuation) (Amendment) Act, 2014 (Act No.4/2014)
3. G.O.Ms.No.147, Finance (HR.IV-FR) Department, dt.30.06.2014
4. G.O.Ms.No.101, Water Resources Department, dated.23.09.2015.
5. Memo.No.459/PE.II/A1/2015,Public Enterprises Department, dated. 26.11.2015.
6. Circular Memo No. 5339/720/A2/HRM.IV-2015-1, dated.07-12-2015
7. Memo No. 459/PE.II/A1/2015-2 Public Enterprises Department dated 23.12.2015
8. G.O.Ms.No.2, Water Resources Department, dated.07.01.2016.

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Sub section (1) of Section 3 of the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984 was amended in the reference 2nd read above to the effect that every employee of Andhra Pradesh Government shall retire from service on the afternoon of the last day of the month in which he/she attains the age of sixty years. In the reference third read above, it was clarified that the provisions of Andhra Pradesh Public Employment (Regulation of Age of Superannuation) (Amendment) Act, 2014 (Act No.4of 2014) were applicable only to the categories mentioned in the following clauses (i) to (iv) read with sub section (6) of Section 2 of the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984.

i) persons appointed to public services and posts in connection with the affairs of the state;

ii) officers and other employees working in any local authority, whose salaries and allowances are paid out of the consolidated fund of the state;

iii) persons appointed to the secretariat staff of the Houses of the state legislature and

iv) every other officer or employee whose conditions of service are regulated by the rules framed under the proviso to Article 309 of the Constitution of India before the commencement of this Act, other than the Village Officers and Law Officers; whether appointed before or after the commencement of this Act.

2. The Water Resources Department have issued orders vide G.O. fourth read above enhancing the age of superannuation from 58 years to 60 years to the employees working in Andhra Pradesh State Irrigation Development Corporation Limited subject to fulfilment of the following conditions:

a) These orders are applicable to the employees who are allocated to A.P. unit by specific orders.

(b) These orders shall come into effect from the date of final allocation of employees i.e. 2.6.2014 on the condition that the period of out of employment shall be treated as EOL or any other eligible leave.

(c) Necessary amendment shall be carried out to the regulations/ By laws.

3. In the reference fifth read above, the Public Enterprises Department have advised all Secretariat Departments including Water Resources Department, to keep the orders, if any issued, for enhancement of the age of superannuation from 58 to 60 years of the employees of Public Sector Undertakings under their administrative control in abeyance with immediate effect till the orders formulating the policy regarding the extension of the age of superannuation of the employees of the Public Sector Undertaking in the State of Andhra Pradesh are issued by the Government. In the reference sixth read above the managements of the Public Sector Undertakings and Institutions included in the Ninth and Tenth Schedules of the A.P. State Re-organisation Act, 2014 were directed to take up the following process prior to submitting proposals to the government for any change in the age of superannuation of their employees:

a) Approval of Government of Andhra Pradesh and Government of Telangana for the demerger of the institution following due procedure;
b) Reconstitution of the Board in accordance with the established procedure;

c) Final allocation of the employees between the institutions of both the States;
d) The reconstituted Board passes a resolution with due justification for enhancement of age of superannuation and sends the proposal to the Government for approval; and
e) The relevant provisions in the bye laws are suitably amended.

3. In the reference seventh read above the Public Enterprises Department advised to take up the process as stipulated in the preceding para prior to submitting the proposals to government for any change in the age of superannuation. In the G.O. eighth read above, orders were issued keeping the orders issued in GO fourth read above in abeyance.

4. Government having taken stock of all the above developments and after careful consideration hereby orders that the enhanced age of superannuation cannot be made applicable to the employees of the Public Sector Undertakings and Institutions listed in the Ninth and Tenth Schedules of A.P. Re-organisation Act, 2014 until the matter of division of assets and liabilities of the Institution between the states of Andhra Pradesh and Telangana is settled and the allotment of the employees between the two states is finalised for these Public Sector Undertakings/Institutions. Government would be in a position to take a policy decision on the matter only after such process is completed in all respects. Orders issued, if any, by any Department or Public Sector Undertakings / Institutions shall be kept in abeyance with immediate effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
All the Heads of Departments.
All Special Chief Secretaries / Principal Secretaries / Secretaries to Government.
All the Departments of Secretariat
All the Managing Directors/Chief Executive Officers of PSUs
All the Officers of the Finance Department.
The Principal Secretary to Governor, Andhra Pradesh, Hyderabad.
Copy to:
The Chief Secretary to the Government of Andhra Pradesh.
The Principal Secretary to the Chief Minister and Private Secretaries to all Ministers.
The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.
Copy to SF/S.Cs.

//FORWARDED::BY ORDER//

SECTION OFFICER